

### **Exhibit B: Materials Reviewed and Considered**

*Bailey v. Rite Aid Corporation*, No. 4:18-cv-06926 YGR (N.D. Cal.)

*Banh v. American Honda Motor Co.*, No. 2:19-cv-05984 RGK (C.D. Cal.)

*Bechtel v. Fitness Equipment Services, LLC, DBA Sole Fitness*, No. 1:19-cv-00726 (S. D. Ohio)

*Braverman v. BMW of North America, LLC*, No. 16-cv-00966 TJH (C.D. Cal.)

Brazell, Jeff D., Christopher G. Diener, Ekaterina Karniouchina, William L. Moore, Vélerie Séverin, and Pierre-Francois Uldry (2006). “The no-choice option and dual response choice designs,” *Marketing Letters*, Vol. 17, No. 4 (Dec.), pp. 255-268.

*Cardenas v. Toyota Motor Corp.*, No. 18-22798-Civ-Moreno (S.D. Fla.)

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Declaration of Colin Weir

Diamond, Shari S., (2011). “Reference Guide on Survey Research,” *Reference Manual on Scientific Evidence (Third Edition)*, Washington, D.C.: The National Academies Press, pp. 359-423.

*Gunaratna v. Dr. Dennis Gross Skin Care*, No. 2:20-cv-02311-MWF-GJS (C.D. Cal)

*Hadley v. Kellogg Sales Company*, No. 5:16-cv-04955 LHK (N.D. Cal.)

*Hudock v. LG Electronics U.S.A., Inc.*, No. 16-cv-01220 JRT (D. Minn.)

*In Re Arris Cable Modem Consumer Litigation*, No. 17-cv-1834 LHK (N.D. Cal.)

*In Re: Lenovo Adware Litigation*, No. 5:15-md-02624 RMW (N.D. Cal.)

*Johnson et al. v. Nissan North America, Inc.*, No. 3:17-cv-00517 (N.D. Cal.)

*Kaupelis v. Harbor Freight Tools USA, Inc.*, No. 19-cv-1203 JVS (C.D. Cal.)

*Khoday v. Symantec Corp. and Digital River, Inc.*, No. 0:11-cv-00180 JRT (D. Minn.)

*Koenig v. Vizio, Inc.*, No. BC702266 (Cal. Sup. Ct.)

*Krommenhock v. Post Foods LLC*, No. 3:16-cv-04958 WHO (N.D. Cal.)

Louviere, Jordan (1988). "Conjoint Analysis Modelling of Stated Preferences: A Review of Theory, Methods, Recent Developments and External Validity," *Journal of Transport Economics and Policy: Stated Preference Methods in Transport Research*, Vol. 22, No. 1 (Jan.) pp. 93-119.

*Maldonado v. Apple, Inc.*, No. 3:16-cv-04067-WHO (N.D. Cal.)

*Milan v. Clif Bar and Company*, No. 3:18-cv-02354-JD (N.D. Cal.)

*Ninivaggi, et al., v. University of Delaware*, Civil Action No. 20-cv-1478-SB/Russo v. University of Delaware, Civil Action No. 20-cv-1693-SB

Orme, Bryan K. (2020). *Getting Started with Conjoint Analysis: Strategies for Product Design and Pricing Research (Fourth Edition)*, Manhattan Beach, CA.: Research Publishers LLC.

Poret, Hal. (2010). "A comparative empirical analysis of online versus mall and phone methodologies for trademark surveys," *The Trademark Reporter*, Vol. 100, No. 3 (May-June), pp. 756-807.

*Prescod v. Celsius Holdings, Inc.*, No. 19STCV09321 (Cal. Super. Ct., L.A. County)

*Sanchez-Knutson v. Ford Motor Co.*, No. 14-civ-61344 WPD (S.D. Fla.)

Sawtooth Software, Inc.'s Lighthouse Studio software. See [www.sawtoothsoftware.com](http://www.sawtoothsoftware.com).

Simonson, I. and R. Kivetz (2012). "Demand Effects in Likelihood of Confusion Surveys: The Importance of Marketplace Conditions," *Trademark and Deceptive Advertising Surveys: Law, Science, and Design*, Shari Seidman Diamond and Jerre B. Swann, Eds, Chicago, IL.: ABA Publishing, American Bar Association.

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*Smith v. The Ohio State University*, No. 2020-00321JD (OH)

*Sonneveldt et al. v. Mazda Motor of America, Inc.*, No. 8:19-cv-01298-JLS-KES (C.D. Cal.)

Stipulation and [Proposed] Order for Release of E-mail Addresses (including Exhibit A) (Filed 04/13/2022)

*The CBC System for Choice-Based Conjoint Analysis (Version 9)*, Sawtooth Software Technical Paper Series, 2017.

*VanCleave v. Abbott Laboratories*, No. 19CV345045 (Cal. Super. Ct., S.C.L. County)

*Weiman v. Miami University*, Nos. 2020-00614JD (OH) and 2020-00644JD (OH)

Websites:

[https://sawtoothsoftware.com/help/lighthouse-studio/manual/estimating\\_utilities\\_with\\_hb.html](https://sawtoothsoftware.com/help/lighthouse-studio/manual/estimating_utilities_with_hb.html)

<https://www.prodege.com/>

<https://www.numerious.com/>

**Materials Reviewed for Attribute Development**

University Attributes:

<https://nces.ed.gov/ipeds/use-the-data>

Undergraduate Teaching Ranking:

[https://www.usnews.com/best-colleges/rankings/national-universities/undergraduate-teaching?\\_sort=rank&\\_sortDirection=asc](https://www.usnews.com/best-colleges/rankings/national-universities/undergraduate-teaching?_sort=rank&_sortDirection=asc)

Best National Universities:

<https://www.usnews.com/best-colleges/rankings/national-universities>

<https://andyreiter.com/datasets/>

Student-Faculty Ratio Attribute:

<https://nces.ed.gov/ipeds/use-the-data>

4-Year Graduation Rate Attribute:

<https://nces.ed.gov/ipeds/use-the-data>

Ethnic Diversity Index Attribute:

<https://nces.ed.gov/ipeds/use-the-data>

<https://www2.census.gov/programs-surveys/demo/about/racial-ethnic-diversity/diversity-index-equation.pdf>

Class and Campus Format Attribute Initiatives Attribute:

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Individual School Class Formats:

<https://sce.cornell.edu/courses/students/academics/course-select>

<https://doc.sis.columbia.edu/>

<https://www.bu.edu/met/admissions/course-registration/step-by-step-guide/>

<https://www.nyu.edu/students/student-information-and-resources/registration-records-and-graduation/registration/classroom-locations.html>

<https://catalog.northeastern.edu/undergraduate/academic-policies-procedures/course-credit-guidelines/>

Tuition Per Semester Attributes:

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<https://nces.ed.gov/ipeds/use-the-data>